

LABEL IN PART: "Terry's Foil Wrapped De Luxe Miniature Thin Mints Chocolate Covered Net Weight 8 Oz. Made of Sugar, Chocolate, Corn Syrup, Vegetable Protein, Emulsifier, Oil of Peppermint and Vanillin."

RESULTS OF INVESTIGATION: Examination showed the article was short weight.

LIBELED: 8-17-59, W. Dist. N.Y.

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents; 403(i)(2)—the article was fabricated from two or more ingredients, and its label failed to bear the common or usual name of each such ingredient since "Emulsifier" and "Vegetable Protein" are indefinite; and 403(k)—the article contained vanillin, and it failed to bear a label stating that it was an artificial flavor.

DISPOSITION: 9-9-59. Consent—claimed by Terry Candy Co., Inc., and relabeled.

25945. Candy. (F.D.C. No. 43305. S. No. 56-477 P.)

QUANTITY: 19 16-lb. cases at North Wilkesboro, N.C.

SHIPPED: 6-3-59, from Macon, Ga., by McAfee Candy Co., Inc.

LABEL IN PART: (Case) "Bulk Haystax * * * Candy Made With * * * Manufactured by McAfee Candy Company, Inc., Macon, Georgia."

LIBELED: 7-28-59, M. Dist. N.C.

CHARGE: 402(a)(3)—contained insect fragments and rodent hairs; and 402(a)(4)—prepared under insanitary conditions.

DISPOSITION: 9-8-59. Default—destruction.

25946. Candy bars. (F.D.C. No. 43124. S. No. 3-129 P.)

QUANTITY: 130 boxes, 30 candy bars each, at Tampa, Fla.

SHIPPED: 3-17-59, from Macon, Ga., by Earl's Candy Co.

LABEL IN PART: (Box) "Variety Pack 10¢ * * * Manufactured by Earl's Candy Co., Macon, Ga."

LIBELED: 4-23-59, S. Dist. Fla.

CHARGE: 402(a)(3)—contained rodent hair fragments and insect fragments; and 402(a)(4)—prepared and packed under insanitary conditions.

DISPOSITION: 6-15-59. Default—destruction.

25947. Caramels. (F.D.C. No. 43364. S. No. 74-636 P.)

QUANTITY: 222 cases, 20 bags each, at Chicago, Ill.

SHIPPED: 7-18-59 and 7-22-59, from Denver, Colo., by Brecht Candy Co.

LABEL IN PART: (Bag) "Wolch's * * * Candy Shop Quality Candies * * * Milk Nougat Carmels * * * Net Wt. 1 Pound * * * Wolch Nut & Candy Co., Chicago 47, Illinois."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 8-26-59, N. Dist. Ill.

CHARGE: 403(e)(2)—when shipped, the label of the article failed to bear an accurate statement of the quantity of the contents.

DISPOSITION: 9-17-59. Default—delivered to a charitable institution for its use and not for sale.

25948. Candy mints. (F.D.C. No. 43527. S. No. 72-804 P.)

QUANTITY: 44 cases, 24 bags each, at Brooklyn, N.Y.

SHIPPED: 8-4-59, from Chicago, Ill., by Flavour Candy Co.

LABEL IN PART: (Bag) "Michigan Mints * * * Net Wt. 6½ Oz. * * * Flavour Candy Co., Chicago 12, Ill."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 9-15-59, E. Dist. N.Y.

CHARGE: 403(e) (2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of the contents, since the label statement "Net Wt. 6½ Oz." was inaccurate.

DISPOSITION: 10-8-59. Default—Delivered to charitable institutions.

SIRUP

25949. Sorghum molasses and ribbon cane sirup. (F.D.C. No. 42155. S. Nos. 53-415/6 M, 28-069 P.)

INFORMATION FILED: 1-6-59, W. Dist. La., against Ivey Norris, West Monroe, La.

SHIPPED: 11-8-57 and 1-24-58, from Louisiana to Texas.

CHARGE: 402(b) (2)—when shipped, a product containing a mixture of inverted sugar sirup and other ingredients had been substituted for the articles which were represented to be sorghum molasses and ribbon cane sirup; 403(b)—the articles, consisting of a mixture of inverted sugar sirup and other ingredients, were offered for sale under the names of other foods, namely, sorghum molasses and ribbon cane sirup; and 403(e)—the articles failed to bear labels containing (1) the name and place of business of the manufacturer, packer, or distributor, and (2) an accurate statement of the quantity of contents.

PLEA: Guilty.

DISPOSITION: 8-4-59. Probation for 5 years.

25950. Cane sirup. (F.D.C. No. 42023. S. Nos. 28-077/8 P.)

INFORMATION FILED: 4-29-59, M. Dist. Ala., against Alabama Georgia Syrup Co., a corporation, Montgomery, Ala.

SHIPPED: Between 1-29-58 and 3-10-58, from Alabama to Louisiana.

LABEL IN PART: (Can) "Whitfield new crop Country Georgia Ribbon Cane Pure Syrup Net Wt. 4 lb. 1 Oz. Packed by Alaga Syrup Company Montgomery, Alabama."

CHARGE: 403(a)—when shipped, the label statement "Ribbon Cane Pure Syrup" was false and misleading since the article consisted of a mixture of cane sirup and glucose; 403(b)—the article was offered for sale under the name of another food, namely, cane sirup; and 403(i) (2)—the label of the article failed to bear the name of each ingredient.

PLEA: Nolo contendere.

DISPOSITION: 5-14-59. \$250 fine.

DAIRY PRODUCTS

BUTTER

25951. Butter. (F.D.C. No. 43504. S. Nos. 62-814 P, 64-560 P.)

QUANTITY: 34 64-lb. boxes at Danville, Ill.

SHIPPED: 7-3-59, from Burlington, Kans., by Burlington Creamery Co.